

MAR. 16. 2005 3:52PM

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MAR 16 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dolecek.

Examiner: Witz, J.

Serial No.: 09/832,518

Group Art Unit: 1651

Filing Date: 4/9/01

Docket No.: P-9529

Title: AUTOLOGOUS PLATELET GEL HAVING BENEFICIAL GEOMETRIC SHAPES  
AND METHODS OF MAKING THE SAME

**CERTIFICATE OF FACSIMILE TRANSMISSION:** I hereby certify  
that this correspondence is being faxed to: Commissioner for Patents,  
Alexandria, VA 22313-1450 on this 16<sup>th</sup> day of March, 2005, at fax  
number 571-273-0927.

Jo L. Brecht  
Signature

Jo L. Brecht  
Printed Name

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, Medtronic, Inc., a corporation of the State of Minnesota having a place of business at 710 Medtronic Parkway, Minneapolis, Minnesota, hereby represents that it is the exclusive owner of the entire interest in the above-identified Application, by virtue of an assignment recorded at R11718/F0717 on April 9, 2001. Petitioner further represents that it is the exclusive owner of the entire interest in U.S. Patent Application No. 10/116,729 by virtue of the assignment recorded at R013063/F0176 on September 1, 2002.

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PAGE 23 \* RCVD AT 3/16/2005 4:00:08 PM (Eastern Standard Time) \* SVR:USPTO-EXRF-1/24 \* DNIS:2730927 \* CSID: \* DURATION (mm:ss):00:58

FEE VALUE	
ACCOUNT NO. 130	
DEPOSIT ACCOUNT NO.	
13 2546	
FEE VALUE	
CODE FEE VALUE	
1814 130	

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified Application which would extend beyond the expiration date of a full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted for U.S. Patent Application No. 10/116,729, not shortened by terminal disclaimer. Petitioner hereby agrees that any patent granted on the above-identified Application shall be enforceable only for and during such period that the legal title to such patent and U.S. Patent Application No. 10/116,729 are commonly owned. This agreement is to run with any patent granted on the above-identified Application and to be binding upon the grantee, its successor, or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above-identified Application prior to the expiration date of the full statutory term, not shortened by terminal disclaimer, of any patent granted from U.S. Patent Application No. 10/116,729, if such patent: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise terminated prior to the expiration of its full statutory term.

The undersigned (whose title is supplied below) is empowered to act on behalf of Petitioner.

Documents establishing the chain of title of the subject patent application (including the aforementioned assignment and a notice from the Patent and Trademark Office noting its recording location) have been reviewed and I certify that, to the best of my knowledge and belief, title is in Petitioner.

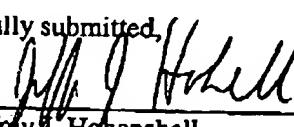
I hereby declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Please charge \$130.00 to Deposit Account No. 13-2546 for the fee required by 37 C.F.R. 1.20(d). Please charge any additional required fees or credit any overpayment to Deposit Account No. 13-2546.

Registration Number 34,109	Telephone Number 763-391-9661
Date: March 16, 2005	

Respectfully submitted,

By

  
Jeffrey J. Hohenshell  
Senior Patent Counsel  
Medtronic, Inc.  
7601 Northland Drive  
Minneapolis, MN 55428

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**Medtronic**

## Facsimile Cover Sheet

P-9529.00

**To:** Examiner J. Witz

**Company:**

**Phone:**

**Fax:** 571-273-0927

**From:** Jeff J. Hohenshell

**Company:**  **Medtronic**

**Phone:** 763 391-9661

**Fax:** 763 391-9668

**Date:** March 16, 2005

**Pages including this  
cover page:**

**Comments:**

RE: P-9529.00

Serial No. 09/832,518

Applicants: Dolecek

Filed: 04/09/2001

Thank you for discussing U.S. 09/832,729 for which we have received a notice of allowance. Please let us know if you need any further information concerning that application.

IF TELECOPY IS ILLEGIBLE OR ALL PAGES HAVE NOT BEEN RECEIVED, PLEASE CONTACT JO BRECHT AT TELEPHONE (763) 391-9663 IMMEDIATELY.

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